

**To:** Aimee Kinney[aimeek@uw.edu]; swalsh@skagitcoop.org[swalsh@skagitcoop.org]; Kyle Loring[kyle@sanjuans.org]; Griffiths, Jennifer R (DFW)[Jennifer.Griffiths@dfw.wa.gov]  
**From:** Meyer, Susan  
**Sent:** Tue 2/28/2017 8:14:15 PM  
**Subject:** RE: tidal datum figure edits

See my edit in red below. Thanks!

Susan

**From:** Aimee Kinney [mailto:aimeek@uw.edu]  
**Sent:** Tuesday, February 28, 2017 11:46 AM  
**To:** swalsh@skagitcoop.org; Kyle Loring <kyle@sanjuans.org>; Meyer, Susan <meyer.susan@epa.gov>; Griffiths, Jennifer R (DFW) <Jennifer.Griffiths@dfw.wa.gov>  
**Subject:** tidal datum figure edits

Hello Stan and Kyle,

Thanks for the comments you gave me yesterday on the tidal datum figure. I've prepared the statement below to include as a note below the Clean Water Act line. Would adding this to the figure address your concerns? Are there any edits you would like to make to this note?

I've cc'd Susan Meyer and Jennifer Griffins in the event they would like comment as well.

Thanks, Aimee

"Under Section 404 of the Clean Water Act, the extent of Corps of Engineers jurisdiction in tidal waters extends to the high tide line. Currently, the Seattle District uses MHHW as their interpretation (I deleted geographic boundary, as our attorney suggested this language as more appropriate) of the high tide line. The Act defines "high tide line" as the line of intersection of the land with the water's surface at the maximum height reached by a rising tide, including spring high tides and other high tides that occur with periodic frequency. Seattle District is under pressure from other federal agencies, tribal governments, and non-governmental organizations to change their limit of jurisdiction to a tidal datum that includes more area subject to the ebb and flow of tides, such as HAT."

Aimee Kinney, MMA

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